

Appl. No. 10/691,982
Amdt. Dated 3/15/2006
Response to Office action dated 1/12/2006

REMARKS

Claims 3, 4, 5, 8, 15, 16, 19, 24, 25, 26, 29, 30, 31, 32, 33, 41, 42, 43, 44, 51, 52, 53 and 54 have been amended, and claims 1, 2, 13, 14, 27, 28, 39, 40, 49 and 50 have been canceled. No new claims have been added. Claims 3-12, 15-26, 29-38, 41-48 and 51-58 are therefore pending.

Disclaimers Relating to Claim Interpretation and Prosecution History Estoppel

Claims 3, 4, 5, 8, 15, 16, 19, 24, 25, 26, 29, 30, 31, 32, 33, 41, 42, 43, 44, 51, 52, 53 and 54 have been amended, and claims 1, 2, 13, 14, 27, 28, 39, 40, 49 and 50 have been canceled, notwithstanding the belief that these claims were allowable. Except as specifically admitted below, no claim elements have been narrowed. Rather, cosmetic amendments have been made to the claims. Claims 3, 4, 5, 8, 15, 16, 19, 24, 25, 26, 29, 30, 31, 32, 33, 41, 42, 43, 44, 51, 52, 53 and 54 have been amended solely for the purpose of expediting the patent application process, and the amendments were not necessary for patentability.

The claims of this Application are intended to stand on their own and are not to be read in light of the prosecution history of any related or unrelated patent or patent application. Furthermore, no arguments in any prosecution history relate to any claim in this Application, except for arguments specifically directed to the claim.

Allowable Subject Matter

The Examiner objected to claims 3, 10-12, 15, 21-23, 29, 35-37, 41, 46-48, 51, 56, 57 and 58 as being dependent upon a rejected base claim. The Examiner further stated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Claims 3, 15, 29, 41, and 51 have been rewritten to include the limitations of the respective base claims and intervening claims. The objections to claims 3, 15, 29, 41 and 51 have therefore been overcome. As such, claims 3, 15, 29, 41 and 51 are in condition for allowance. Further, claims 10-12, 21-23, 35-37, 46-48 and 56-58 have been amended so that they are dependent on claims 3, 15, 29, 41 and 51 respectively. As these claims

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now depend on allowable claims, these claims should likewise be allowed.

Claim Rejections – 35 USC § 102

The Examiner rejected claims 1, 2, 4, 8, 9, 13, 14, 19, 20, 24-28, 33, 34, 38-40, 42, 44, 45, 49, 50, 52, 54 and 55 under 35 U.S.C. 102(e) as being anticipated by Yach et al (US Publication 2002/0128036 A1). Because claims 1, 2, 13, 14, 27, 28, 39, 40, 49 and 50 have been canceled, this rejection is moot as to claims 1, 2, 13, 14, 27, 28, 39, 40, 49 and 50.

Claims 4, 8, 19, 24-26, 33, 38, 42, 44, 52, 54 have been rewritten to depend on allowable base claims. Claims 4 and 8 have been rewritten to depend on claim 3. Claims 19, 24, 25 and 26 have been rewritten to depend on claim 15. Claims 33 and 38 have been rewritten to depend on claim 29. Claims 42 and 44 have been rewritten to depend on claim 41. Claims 52 and 54 have been rewritten to depend on claim 51. Therefore, because claims 4, 8, 19, 24-26, 33, 38, 42, 44, 52, 54 have been rewritten to depend on allowable claims, claims 4, 8, 19, 24-26, 33, 38, 42, 44, 52, 54 are likewise allowable.

Claims 9, 20, 34, 45 and 55 have not been amended. However, these claims depend on claims 8, 19, 33, 44 and 54 respectively, which have been amended to depend on allowable base claims. Therefore, claims 9, 20, 34, 45 and 55 are likewise allowable.

Because claims 4, 8, 9, 19, 20, 24-26, 33, 34, 38, 42, 44, 45, 52, 54, and 55 depend on allowable claims, claims 4, 8, 9, 19, 20, 24-26, 33, 34, 38, 42, 44, 45, 52, 54, and 55 are likewise allowable.

Claim Rejections – 35 USC § 103

The Examiner rejected claims 5-7, 16-18, 30-32, 43 and 53 under 35 U.S.C. 103(a) as being unpatentable over Yach et al (US Publication 2002/0128036 A1) and in view of Forlenza et al. (US Patent 665375 B1).

Claims 5, 16, 30, 43 and 53 have been rewritten to depend on claims 3, 15, 29, 41 and 51 respectively. Because claims 5, 16, 30, 43 and 53 depend on allowable claims, claims 5, 16, 30, 43 and 53 are likewise allowable.

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Similarly, claims 6-7, 17-18 and 31-32 should also be allowed. Claims 6-7, 17-18 and 31-32 depend on claims 5, 16 and 30 respectively. Claims 5, 16 and 30 have been rewritten to depend on allowable claims as set forth above. Therefore, by virtue of their dependency on allowable claims, claims 6-7, 17-18 and 31-32 are likewise allowable.

Conclusion

In view of all of the above, it is respectfully submitted that the present application is now in condition for allowance. Reconsideration and reexamination are respectfully requested and allowance at an early date is solicited.

The Examiner is invited to call the undersigned attorney to answer any questions or to discuss steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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